

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAMES HEALY, on behalf of himself and all
others similarly situated,

Plaintiff,

v.

MILLIMAN, INC., d/b/a INTELLISCRIPIT,

Defendant.

CASE NO. C20-1473-JCC

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

Plaintiff moves to compel the production of documents responsive to Request for Production No. 66, which seeks “all IRIX data for applicants during the class period which fall within the group of 13% of data matches that are not matched based on the applicant’s social security number.” (Dkt No. 55 at 5 (referencing Dkt. No. 56 at 2).) Amongst other objections, Defendant asserted that the request is unduly burdensome, explaining that, based on how Defendant stores the source data, it would need to sort through 43 million reports prepared during the relevant period, rather than just the 13% Plaintiff seeks discovery on. (Dkt. No. 56-1 at 7–8.) While the Court agrees that this process may be unduly burdensome, it is not clear from the briefing why a statistically meaningful sample set of data cannot be produced without this

1 sorting process and/or why the sorting process cannot be automated.

2 Accordingly, Defendant is ORDERED to provide a supplemental brief no later than
3 November 5, 2021 proposing a sampling method sufficient to provide responsive information to
4 Plaintiff's Request for Production No. 66. Plaintiff is ORDERED to provide a brief no later than
5 November 12, 2021 responding to Defendant's proposal. Each brief may not exceed five pages,
6 including captions but excluding certificates of service. Any factual assertions should be
7 accompanied by, or reference previously filed, declarations.

8 The Clerk is DIRECTED to renote Plaintiff's motion to compel (Dkt. No. 55) to
9 November 12, 2021.

10 DATED this 1st day of November 2021.

11 Ravi Subramanian
12 Clerk of Court

13 s/Sandra Rawski
14 Deputy Clerk